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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/128,614	08/03/98	PATTERSON	P

MICHAEL I KROLL  
171 STILLWELL LANE  
SYOSSET NY 11791

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EXAMINER

PATEL, D

ART UNIT

PAPER NUMBER

2831

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/128,614

Applicant(s)  
P. L. Patterson JR.

Examiner  
Dhiru Patel

Group Art Unit  
2831



☒ Responsive to communication(s) filed on Aug 3, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-21 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-21 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 1

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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**Part III DETAILED ACTION**

***Claim Rejections - 35 U.S.C. § 112***

1. Claims 1-21 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1 line 22, "said upper shield" lacks antecedent basis.

In claim 1 line 23, "said upper aperture" lacks antecedent basis.

In claim 1 lines 24-25, "said lower shield" lacks antecedent basis.

In claim 1 lines 25-26, "said lower aperture" lacks antecedent basis.

In claim 1 line 42, "the cover plate screw" lacks antecedent basis.

In claim 1 lines 46, 48, "said upper shield" lacks antecedent basis.

In claim 1 lines 47, 49, "said upper aperture" lacks antecedent basis.

In claim 1 lines 53, "said lower aperture" lacks antecedent basis.

In claim 1 lines 53, 55-56, "said upper aperture" lacks antecedent basis.

In claim 5 line 7, "said upper shield" lacks antecedent basis.

In claim 5 lines 9-10, "said lower shield" lacks antecedent basis.

In claim 7 lines 2, 4, 13-15, "said upper shield" lacks antecedent basis.

In claim 8 lines 2, 13-15, "said lower shield" lacks antecedent basis.

In claim 10 line 10, "said two hook ends" lacks antecedent basis.

In claim 10 line 16, "an electrical plug" should be "said electrical plug".

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In claim 11 lines 10, 14, 17,18, "said upper shield" lacks antecedent basis.

In claim 11 lines 12,19, 23,"said lower shield" lacks antecedent basis.

In claim 12 line 22, "said upper shield" lacks antecedent basis.

In claim 12 line 23, "said upper aperture" lacks antecedent basis.

In claim 12 lines 24-25,"said lower shield" lacks antecedent basis.

In claim 12 lines 25-26, "said lower aperture" lacks antecedent basis.

In claim 12 line 42, "the cover plate screw" lacks antecedent basis.

In claim 12 lines 46, 48, "said upper shield" lacks antecedent basis.

In claim 12 lines 47, 49, "said upper aperture" lacks antecedent basis.

In claim 12 lines 53,55-56, "said lower aperture" lacks antecedent basis.

In claim 15 line 7, "said upper shield" lacks antecedent basis.

In claim 15 lines 9-10,"said lower shield" lacks antecedent basis.

In claim 17 lines 2, 4, 13-15, "said upper shield" lacks antecedent basis.

In claim 18 lines 2, 13-15, "said lower shield" lacks antecedent basis.

In claim 20 line 10, "said two hook ends" lacks antecedent basis.

In claim 20 line 16, "an electrical plug" should be "said electrical plug".

In claim 21 lines 10, 14, 17,18, "said upper shield" lacks antecedent basis.

In claim 21 lines 12,19, 23,"said lower shield" lacks antecedent basis.

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***Claim Rejections - 35 U.S.C. § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Hill.

Hill discloses a an electrical outlet faceplate with locking closures comprising:

- a) a back cover plate 30 (see fig 1) having a pair of vertically aligned apertures 34 (see fig 1, column 5 lines 50-55) therethrough with a central hole between said apertures (see fig 1), said apertures being shaped and positioned to correspond to the dual sockets (see fig 1), while said central hole aligned with the central threaded opening of the receptacle 6 (see fig 6, column 5 lines 20-30) in the outlet box, when said back cover plate 30 is positioned over the outlet box(see fig 6) ;

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- b) a pair of shutters 46 (shield, see fig 1) sized to obstruct said apertures in said back cover plate, to prevent access to the dual sockets of the receptacle (see fig 3),
- C) means 40 (see fig 1) on a front face of said back cover plate for guiding said upper shield to move upwardly away from said upper aperture in said back cover plate (see column 6 lines 20-30), and said lower shield to move downwardly away from said lower aperture in said back cover plate (see column 6 lines 20-30);
- d) means 66 (see fig 1 column 7 15-35) for biasing said shields on said front face of said back cover plate, so as to normally position said shields to obstruct said apertures in said back cover plate;
- e) a front cover plate 16 (see fig 1) having a pair of vertically aligned apertures 20 (see fig 1, column 5 lines 35-40) therethrough with a central hole 24 between said apertures (see fig 1), said apertures being shaped and positioned to correspond to the dual sockets (see fig 1), while said central hole aligned with the central threaded opening of the receptacle 6 in the outlet box (see fig 6, column 5 lines 20-30);

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- f) means 38 (see fig 1) for mating said front cover plate to said back cover plate over said shield, so that the cover plate screw (see fig 1) can engage with the central threading opening in the receptacle to hold said safety device (see fig 1) ;
- g) means tab 52 (see fig 2, see column 6 lines 50-65) for engaging said upper shield through said upper aperture in said front cover plate, so that said upper shield can move upwardly away from said upper aperture in said back cover plate to expose the upper socket of the receptacle;
- h) means tab 52 (see fig 1, column 6 lines 50-65) for engaging said lower shield through said lower aperture in said front cover plate, so that said lower shield can move downwardly away from said lower aperture in said back cover plate to expose the lower socket of the receptacle.

***Claim Rejections - 35 U.S.C. § 103***

3. The following is a quotation of 35 U.S.C. § 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a

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whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 6 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Hill in view of Delone.

Hill discloses all the features of the claimed invention as shown above but fails to disclose four small sockets and four locking tabs are located in the corner.

Delone teaches the use of four small sockets 30 in the corner (see fig 2) and four locking tabs 50 in the corner(see fig 1, column 4 lines 7-30) in order to securing the cover to the wall plate (see column 2 lines 25-35).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the assembly of hill with four small sockets at the corner of said front face of said back cover plate 30 and four locking tabs at the corner of a rear face of said front cover plate 16 as taught by Delone in order to securing said front cover plate 16 to said back cover plate 30.



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Allowable Subject Matter

5. Claim 12 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, set forth in this Office action.

6. Claim 2- 5, 7-11, and 13-21 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The primary reason for the indication of the allowability of claims 2-5, 7-21 are the inclusion therein of the limitation, in combination, of:

For claim 2: means on said front cover plate for locking and releasing each of said shield in the normally obstructing position; and means on said front cover plate for retaining each of said shields away from the sockets of the receptacle.

For claim 3, 9-11: each said shield is a T-shaped slide panel having a pair of outwardly extending tabs and a main flat body with a pair of integral parallel legs in which each said leg extends from one said tab adjacent said main flat body.

For claim 4: a pair of vertically spaced apart side guide rails integrally formed on said front face of said back cover plate on opposite sides of said H-shaped cross member.

For claim 5: two said springs are connected between said lower shields and said two studs.

For claim 7: said front cover plate having three vertical slots extending upwardly from said upper aperture and in alignment with said three depressions in said upper shield.

For claim 8: said front cover plate having three vertical slots extending downwardly from said lower aperture and in alignment with said three depressions in said lower shield.

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For claims 12-21: means on said front cover plate for locking and releasing each of said shield from the normally obstructing position; and means on said front cover plate for retaining each of said shields away from the sockets.

This limitation is found in claims 2- 5, 7- 21 and the prior art fails to teach or suggest, alone or in combination.

#### Other prior art cited

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ford (US. 5,456,373), Powers et al .(US. 5,212,347), Poirier (US. 4,793,818), Wolfe-Taylor et al. (US. 4,733,017), Piper (US. 4,801,271) disclose an electrical outlet similar to applicant invention.

#### Contact information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhiru Patel whose telephone number is (703) 308 -3748. The examiner can normally be reached on Mondays- Thursdays from 6:30 am to 4:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid be reached at 703-308-0640. The fax number for this Group is 703-305-3431.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1782.

Dhiru Patel  
Patent Examiner  
Group Art Unit 2831  
March 11, 1999

*Dean A. Reichard 3-11-99*  
Dean A. Reichard  
Primary Examiner